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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,376	04/17/2001	David A. Jablow	Jablow 2	5786

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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,376

Applicant(s)

JABLOW, DAVID A.

Examiner

Shawki S Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10-29-2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment received on October 29, 2004. Claims 1-52 are pending examination

Claim Rejections - 35 USC §102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1-2, 12-21, 31-36, 35, and 46-52 are rejected under 35 U.S.C. 102(e) as being anticipated by **Aronin**, U.S. Patent No. **6,454,650**.

4. As to claim 1, Aronin teaches a system for providing personalized notification comprising:

a controller adapted to compare personal information and administrative information related to an event a user is participating in and further adapted to send a personalized notification to the user concerning the user's participation in the event (col. 9, lines 1-8).

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5. As to claim 2, Aronin teaches wherein the event is a lottery (see abstract).
6. As to claim 12, Aronin teaches the system as in claim 1 wherein the controller comprises a server (see Fig. 1).
7. As to claim 13, Aronin teaches the system as in claim 1 wherein the controller comprises an Internet server (see Fig. 1, col. 5, lines 1-7).
8. As to claim 14, Aronin teaches the system as in claim 1 further comprising a user database adapted to store the personal information (Fig. 1, system database 36).
9. As to claim 15, Aronin teaches the system as in claim 1 further comprising an administrative database adapted to store the administrative information (Fig. 4, col. 8, lines 56-58).
10. As to claim 16, Aronin teaches the system as in claim 1 further comprising a user network access unit adapted to send the personal information to the controller (Fig. 4, col. 8, lines 56-67).
11. As to claim 17, Aronin teaches the system as in claim 1 further comprising an administrative network access unit adapted to send the administrative information to the controller (Fig. 4, col. 8, lines 56-67).
12. As to claim 18, Aronin teaches the system as in claim 1 wherein the personal information comprises a lottery number (col. 7, lines 43-64).
13. As to claim 19, Aronin teaches the system as in claim 1 wherein the administrative information comprises a winning lottery number (Fig. 4, col. 8, lines 56-67).

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14. As to claims 20-21, 31-36, and 46-52, these claims fail to add any new limitations and contain similar limitations as claims 1-19 above, therefore are rejected under the same rationale.

Claim Rejections - 35 USC §103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claim 3, 22, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Aronin**, U.S. Patent No. **6,454,650** and in view of **Klug** U.S. Patent No. **6,591,245**.

17. As to claims 3, 22, and 37, Aronin teaches the invention as discussed above. Aronin does not explicitly teach wherein the event is sport or entertainment even.

Klug teaches Klug teaches media content notification via communication networks. Klug teaches wherein the user is able to get notification or announcements concert or other performance data (col. 2, lines 56-62).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Aronin so that notification can apply to any event

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whether it is lottery or sport or entertainment, because doing so will give the user access to the information at a faster rate as well as add convenience to the user that he or she will be kept up to date on the information that is important to them.

18. Claim 4-5, 23-24, and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Aronin**, U.S. Patent No. **6,454,650** and in view of **Grey** U.S. Patent No. **6,473,707**.

19. As to claims 4-5, 23-24, and 36-39, Aronin teaches the invention as discussed above. Aronin does not explicitly teach wherein the event is an educational event or an exam.

Grey teaches a test executive program for organizing and executing test sequences to control instrumentation systems. Grey teaches notification of a user who is taking an exam (col. 20, lines 45-59).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Aronin so that notification can apply to any event whether it is lottery or an educational event or an exam, because doing so will give the user access to the information at a faster rate as well as add convenience to the user that he or she will be kept up to date on the information that is important to them.

20. Claim 6-11, 25-30, and 40-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Aronin**, U.S. Patent No. **6,454,650** and in view of **Klug** U.S. Patent No. **6,591,245**.

21. As to claim 6-11, Aronin teaches the invention as discussed above. Aronin teaches wherein the user is notified if they won through e-mail, Aronin does no

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explicitly teach wherein the user chooses their preferred notification method, which can be e-mail or telephone number or fax. Klug teaches media content notification via communication networks. Klug teaches wherein the user is able to specify notification criteria (col. 5, lines 48-67).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Klug into the invention of Aronin in order to allow the user to specify the preferred notification method. This will allow the user to select the notification medium that best suites them and one that they will have access to the fastest.

22. Applicant's arguments with respect to claims 1-52 have been considered but are moot in view of the new ground(s) of rejection.

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 703-605-4362. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-306-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
February 14, 2005


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER